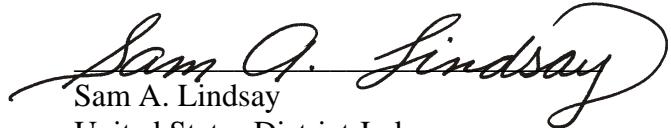


In reviewing actions taken by a district court in its appellate role, we affirm unless the court has clearly abused its discretion. Bankruptcy appeals have frequently been dismissed for the appellant's failure to comply with the duty of diligent prosecution, and we have dismissed civil appeals for failure of prosecution when the appellant's brief was not timely filed.

In re Braniff Airways, Inc., 774 F.2d 1303, 1305 (5th Cir. 1985) (footnotes omitted); *see also In re McKenzie*, 213 F.3d 639, 2000 WL 554944, *1 (5th Cir. 2000). Appellant has failed to comply with the required procedural rules, and the court determines that he has not been diligent in prosecuting this appeal. It is not incumbent upon the court to ensure that the parties before it follow the relevant procedural rules. Accordingly, the court **dismisses** this appeal **without prejudice** for want of prosecution.

It is so ordered this 25th day of February, 2010.


Sam A. Lindsay
United States District Judge